

EISENBERG & BAUM LLP

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ATTORNEYS FOR THE PLAINTIFFS

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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JIAN WANG a/k/a JAMES WANG,

Plaintiffs,

11 Civ. 2992 (VB)
ECF CASE

-against-

INTERNATIONAL BUSINESS MACHINES
CORP.,

Defendant(s).

AFFIDAVIT OF ERIC M. BAUM, ESQ.
IN SUPPORT OF MOTION TO
WITHDRAW AS COUNSEL AND FOR
FIXING A COMMON LAW
RETAINING & CHARGING LIEN

-----X

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Eric M. Baum, Esq. being duly sworn, deposes and says:

1. I am a member of the Bar of this Court and am a partner with the firm of Eisenberg & Baum, LLP attorneys for plaintiff in the above-entitled action and I am familiar with the facts and circumstances in this action. I submit this affidavit on the basis of personal knowledge, in support of Eisenberg & Baum's motion pursuant to Rule 1.4 of the Local Civil Rules of the Southern District of New York to withdraw as counsel for Plaintiff in this proceeding and to fix a common law retaining and charging lien and to allow Plaintiff sufficient time to obtain substitute counsel.

2. As ordered by Your Honor, our firm will be filing redacted copies of our affidavits and memorandum of law and are serving unredacted copies to this Court and to Plaintiff. We are doing this to minimize any disclosure of Plaintiff's "client information" as defined by N.Y. Rule of Professional Conduct ("N.Y. Rule") 1.6(a). *See* N.Y. Rule 1.6(b)(5)

3. On April 9, 2014, I attended a mediation at the law office of Jackson Lewis, with Plaintiff James Wang, co-counsel Andrew Rozynski, and a sign language interpreter.

4. I was present at the mediation from approximately 10:00am to 4:00pm on April 9, 2014.

8. At approximately 4:00pm, I had to leave the mediation because I had to attend another matter in my office,

12. I am now moving to withdraw as counsel in the above mentioned matter.


I declare under penalty and perjury that the foregoing is true and correct.

Executed on May 23, 2014



ERIC M. BAUM

Swear to before me this
23RD day of MAY 2014


NOTARY PUBLIC.

